

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
DLJ Mortgage Capital, Inc.

In Re:  
John J. Zappile Jr.  
Debtor  
Christine Zappile  
Co-Debtor



Order Filed on January 15, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 24-17073 JNP

Adv. No.:

Hearing Date: 12/23/2024 @ 11:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

**ORDER RESOLVING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: January 15, 2025**

A handwritten signature in black ink, appearing to read "J. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

(Page 2)

Debtor: John J. Zappile Jr.

Case No: 24-17073 JNP

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, DLJ Mortgage Capital, Inc., Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 113 Iris Drive, Egg Harbor Township, NJ, 08234, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Mark S. Cherry, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 17, 2024, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2024 through December 2024 for a total post-petition default of \$11,666.65 (5 @ \$2,333.33); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$11,666.65 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2025, directly to Secured Creditor care of its servicer, (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$199.00 for filing fees, totaling \$549.00, which is to be paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

In re:  
John J. Zappile, Jr.  
Debtor

Case No. 24-17073-JNP  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Jan 15, 2025

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 17, 2025:

Recip ID	Recipient Name and Address
db	+ John J. Zappile, Jr., 113 Iris Drive, Egg Harbor Township, NJ 08234-6105

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 17, 2025

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2025 at the address(es) listed below:

Name	Email Address
Andrew B Finberg	ecfmail@standingtrustee.com ecf.mail_9022@mg.bkdocs.us
Andrew B Finberg	on behalf of Trustee Andrew B Finberg ecfmail@standingtrustee.com ecf.mail_9022@mg.bkdocs.us
Denise E. Carlon	on behalf of Creditor DLJ Mortgage Capital Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Mark S Cherry	on behalf of Debtor John J. Zappile Jr. mc@markcherrylaw.com, dot@markcherrylaw.com;bankruptcy@markcherrylaw.com;g9657@notify.cincompass.com;cherry.markb123326@notify.bestcas e.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

District/off: 0312-1

User: admin

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Date Rcvd: Jan 15, 2025

Form ID: pdf903

Total Noticed: 1

William E. Craig

on behalf of Creditor Santander Consumer USA Inc. dba Chrysler Capital wcraig@egalawfirm.com  
mortoncraigecf@gmail.com;alapinski@egalawfirm.com

TOTAL: 6